



September 29, 2004

Ex Parte Notice

Via Electronic Filing

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: In the Matter of Carriage of Digital Television Broadcast Signals, *et al.*, Ex Parte Submission, CS Docket No. 98-120 (also Docket Nos. 00-96 and 00-2)

Dear Ms. Dortch:

Pursuant to Section 1.1206(b) of the Commission's rules, this letter is to provide notice of an *ex parte* meeting in the above-referenced proceeding. On September 29, 2004, Ms. Judith McHale, President and Chief Executive Officer of Discovery Communications, Inc. and Geraldine Laybourne, Chairman and Chief Executive Officer of Oxygen Media Corporation, briefly met with Commissioner Kathleen Abernathy. We discussed the digital television transition and, specifically, the impact digital must carry would have on cable programmers such as Discovery. We explained the challenges program networks face in securing cable carriage and the harm to program companies and consumers of giving broadcasters another advantage in the competition for cable carriage. We expressed concern about proposals that call for mandatory carriage of a broadcaster's analog and digital signal during the transition as well as those that call for mandatory carriage of more than the broadcaster's primary digital signal.

In accord with the Commission's Rules, this *ex parte* notice is being electronically filed through the Commission's Electronic Comment Filing System procedures. Please do not hesitate to contact me at 240-662-5883 should you have any questions regarding this filing.

Sincerely,

/s/
Judith McHale

cc: Commissioner Kathleen Abernathy
Geraldine Laybourne